

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Jordan Herzberg,

Plaintiff

- against -

MegaSpirea Productions SAS, MegaSpirea International Inc., MegaSpirea Holdings Ltd., MegaSpirea Holding A.G., MegaSpirea NV, Mr. Hersch Reich,

Defendants.

ECF CASE

No. 07 Civ. 10503 (RJS)

DECLARATION

OF RABBI JOSH LOOKSTEIN

IN FURTHER OPPOSITION

TO DEFENDANTS' MOTION

TO DISMISS

I, JOSH LOOKSTEIN, hereby declare under penalty of perjury under the laws of the United States of America, pursuant to 28 U.S.C. § 1746, that the following is true and correct.

1. I am Orthodox rabbi. I was ordained in 1996.
2. From 1998 to 2003 I served as the Assistant Rabbi for the Kehilath Jeshurun Synagogue located at 125 East 85th Street in Manhattan.
3. In addition, from 1998-2003, I was a member of the Judaic Studies faculty at Ramaz Orthodox Day School located on the Upper East Side in Manhattan.
4. Moreover, my father has been the Rabbi at Kehilath Jeshurun Synagogue since 1958 and my grandfather was a rabbi there from 1930 to 1979.

5. Due to growing up as the son of a prominent Orthodox rabbi as well as my religious education and my own service as a rabbi, I am very familiar with the practices of observant Jews.

6. In the Jewish religion, and especially for religiously practicing Jews, Israel retains a central position.

7. Due to the importance of Israel, it is not at all uncommon for religiously practicing Jews to spend significant time in Israel on and off over the course of their lifetimes.

8. A significant number of practicing Jews spend several years studying at religious institutions in Israel.

9. A significant number of practicing Jewish couples move to Israel following marriage for a period of time, often several years, for religious reasons. It is not at all uncommon, for those couples to have children while they are residing in Israel.

10. A significant number of practicing Jews own property in Israel.

11. Despite their periodic residence in Israel, in my experience, these Jews do not relinquish their homes in the United States and still consider themselves to be citizens of their respective states.

12. I have been a friend of Plaintiff Herzberg and his wife for several years.

13. While they are currently residing in Israel for religious and personal reasons, they have not relinquished their religious, personal, and social ties in New York and are still active members of the Jewish community on the Upper West Side of Manhattan.

Executed: New York, New York
March 3, 2008

/s/ Josh Lookstein

Josh Lookstein